

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

AMY BIRMINGHAM, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:22-CV-119-SNLJ
)	
FLASH MARKET LLC, et al.,)	
)	
Defendants.)	

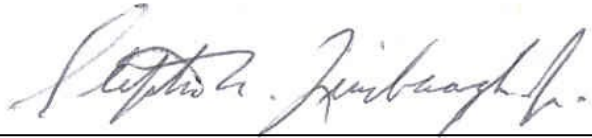
MEMORANDUM AND ORDER

Plaintiffs Amy Birmingham, Rebecca McLeroy, and Lachelle Robinson are suing defendants Flash Market, LLC and PFMFC, Inc. for alleged violations of the Fair Labor Standards Act and the Missouri Minimum Wage Law. Defendant PFMFC moved for dismissal of defendant Birmingham's claims against it, arguing that PFMFC was not her employer during the alleged violations. [Doc. 19.] Plaintiff does not object to dismissal but asks that it be without prejudice. [Doc. 25.] Defendant PFMFC did not respond and the time for doing so has passed. The motion will be granted, and Birmingham's claims dismissed without prejudice.

Accordingly,

IT IS HEREBY ORDERED that defendant PFMFC's motion to dismiss plaintiff Amy Birmingham's claims [Doc. 19] is hereby **GRANTED**, and those claims are hereby dismissed without prejudice.

So ordered this 15th day of February, 2023.

A handwritten signature in black ink, reading "Stephen N. Limbaugh, Jr.", written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE